112. The continuing problems with BellSouth's EDI interface mean that MCI's testing with BellSouth will not conclude on November 1 as MCI had intended. MCI's best, and relatively optimistic, guess at this point is that testing can conclude by December 15.

113. BellSouth's EDI interface is simply not ready. As this Commission is well aware, more than a year after Ameritech began carrier to carrier testing of its EDI interface, after it had employed a third party to evaluate the adequacy of that interface, and after several months of competitive use of that interface to process what sometimes amounted to several thousand orders a day, the FCC, the Department of Justice, the Wisconsin Commission, the Michigan Commission, and an ALJ all found that Ameritech was not yet ready. Severe problems remained including loss of features, double billing, a high percentage of rejects, and a high level of manual intervention. These problems generally only became apparent as Ameritech's interface came into commercial use. The simple lesson is this: errors happen unexpectedly. After all, each of these problems occurred despite the extensive internal testing Ameritech claimed that it performed prior to putting its automated resale interfaces into operation. As I have explained, system implementation ordinarily does reveal system errors, which (hopefully) are then corrected. Indeed, in a May 19 letter to AT&T, included in the South Carolina record as SCPC Docket No. 97-101-C, Bradbury Ex. 4, BellSouth acknowledged that "as with any new system," the ordering portion of LENS would not be stable for "at least 6-9 months" (emphasis added). (Letter from Cassandra Daniels, May 19, 1997, att. 32). What is both surprising and disconcerting is that while BellSouth appears to understand the existence of an ordinary de-bugging process, it nonetheless claims that its offer of an EDI interface for which it has not presented any test results

other than internal testing, is sufficient to show that it is already providing non-discriminatory OSS.

114. BellSouth may respond that its experience in processing orders manually and through a combination of LENS, EDI, and manual processes helps demonstrate the readiness of its EDI interface. As I will explain below, the data that BellSouth has presented on the processing of actual orders through a combination of processes may be relevant to demonstrating the readiness of BellSouth's backend systems. But as I stated already, it cannot show the readiness of BellSouth's EDI interface or the connection between that interface and Bell's backend systems. Indeed, to the extent that any CLEC has successfully used EDI to transmit orders, this must be based on work-arounds developed specially by the CLEC and BellSouth. MCI's experience shows that BellSouth's generally available documentation does not enable CLECs to create an EDI interface that works. In addition, as I will describe below, MCI's experience with orders placed through LENS shows that BellSouth's backend systems, like its EDI interface, are not operationally ready.

2) BellSouth Relies on Far Too Much Manual Processing

115. Even setting aside BellSouth's lack of experience with its EDI interface, it is clear that BellSouth's EDI interface, as currently structured, cannot be used to provide service at parity. BellSouth simply relies on too much manual processing in both its ordering and provisioning processes to be capable of providing service at parity. BellSouth relies on manual intervention for all unbundled element orders and complex resale orders and has an almost entirely manual process for reject notification and for many jeopardies.

a) BellSouth's Ordering Processes Are Largely Manual

116. BellSouth claims that some types of orders, basically orders for resold Plain Old Telephone Service (POTS) and associated features, will flow through EDI and automatically flow into BellSouth's backend systems. (Stacy I Aff., ¶ 57-58, att. WNS-27). BellSouth acknowledges that other types of orders, such as orders for complex business services like Centrex, cannot be processed automatically at all, and other types of orders, such as all unbundled elements, will drop to manual on BellSouth's side of the interface. BellSouth certainly has not shown the level of automation necessary to provide non-discriminatory access to OSS.

117. Even for those types of orders that BellSouth claims are fully automated, there is not yet sufficient experience with BellSouth's EDI interface to know what percentage of orders will flow through automatically on its end of the interface. Although in state proceedings, BellSouth suggested that all POTS orders flowed through (Calhoun, N.Car. trans., p. 16, att. 12), here BellSouth acknowledges that some orders fall out for manual processing. However, BellSouth provides only two months worth of data on flow through, and even this data is not specific to EDI. (Stacy I Aff., ex. WNS-41). This data shows order flow through of 25% in July and 34% in August. What BellSouth calls its "adjusted flow-thru" after taking into account ostensible CLEC errors shows 58% flow through in July and 91% in August. Thus, only 1 month worth of adjusted data shows anything like acceptable levels of flow through. But 1 month worth of data, on a fairly limited number of orders, is hardly sufficient to establish that orders are flowing through at acceptable levels when the previous month clearly showed an unacceptable level of flow through. Moreover, the 91% flow through figure is dubious at best. BellSouth adjusts the data using an undescribed methodology based on its perception of which errors in the

ordering process were caused by CLECs. But as I will discuss below (¶ 135), BellSouth's own data shows that it is unlikely that BellSouth is correct as to which errors were the fault of CLECs. And BellSouth's data is especially questionable given that BellSouth provides different data on the total number of automated August orders in different exhibits. (Stacy I Aff., exs. WNS-38, WNS-41).

118. Even accepting BellSouth's dubious adjusted figures, the 9% level of manual processing is probably too high -- this Commission indicated its intention to use the percentage of retail orders rejected by its legacy systems as a benchmark against which to compare the percentage of CLEC orders that were manually processed, (Ameritech MI Order, ¶ 178). But BellSouth does not provide data on the number of its retail orders that fall out for manual processing. Moreoever, this Commission correctly criticized Ameritech for its manual processing of orders for "split accounts." (Ameritech MI Order, ¶ 179). There is no reason to believe that BellSouth, which has had far less experience with EDI than Ameritech, can process such orders without manual intervention. Indeed, Mr. Stacy here acknowledges that manual intervention will be needed where "there are other numbers billed to the account being converted, . . . etc." (Stacy I. Aff., ¶ 76). While I am not sure quite what this means, it likely means that BellSouth will use manual intervention in split accounts as well as some other undefined circumstances. In the early stages of competition, many customers have proven willing to use CLECs for one of their lines while keeping their other line[s] with the BOC. Failure to automate processing of orders involving split accounts will therefore result in manual processing on a significant number of orders.

119. BellSouth's data on the percentage of orders that involve manual intervention is not based on orders for anything other than plain old telephone service. BellSouth acknowledges that orders for the vast majority of complex business services (all but four services) are processed manually -- they are not even sent to BellSouth via EDI, let alone being processed without manual intervention. (Stacy I Aff., ¶ 63; Calhoun test., S.Car. trans., p. 217, App. C, Vol. 3, Tab 58). In a recent press conference, BellSouth listed some of the orders it considers complex. (BellSouth News Release, Sept. 8, 1997, p. 7, att. 33). Complex orders that must be sent manually include basic business services such as Centrex, private lines, and frame relay all of which could readily be automated. This is so even when the order is for "change as is" and therefore simply amounts to a billing change. (Calhoun test., S.Car. trans., p. 261-62, App. C, Vol. 3, Tab 58; Calhoun, N.Car. trans., p. 36, att. 12).

120. BellSouth also considers all orders for nine lines or more to be complex orders. This is so even if the order is simply for nine POTS lines! (Calhoun, N.Car. trans., pp. 73-74, att. 12 ; Fla. trans., pp. 1335-38, att. 7). As a result, most business orders will have to be sent manually.

121. For complex services that are handled manually, BellSouth requires that orders be coordinated with its "account teams." BellSouth expects a CLEC to work with its prospective customer to understand what the customer needs, then for BellSouth to design the service for the customer, and finally for the CLEC to hand the order off to a BellSouth service representative to type the order into the system. But it is simply unrealistic to expect CLECs to be able to compete with BellSouth when BellSouth employees are this integrally involved in the satisfaction of basic requests from major CLEC customers.

122. The effect of the lack of mechanization is particularly pronounced with respect to "change" orders. At the early stages of competition, most CLEC customers will be changing from BellSouth to the CLEC, rather than being entirely new customers. These customers will already have been through the process of coordinating their "complex" order with BellSouth. They should not have to, and are unlikely to want to, go through this process (indeed, a more difficult version of this process) again simply in order to change their bill to a CLEC. Failure to mechanize change orders will lock in existing BellSouth business customers.

123. BellSouth claims that it is not cost effective to mechanize orders for complex services, because of their "specialized and complicated nature" combined with "their relatively low volume" of orders. (Stacy I Aff., ¶ 65). But many "complex" services, such as centrex for a small business customer or data services such as frame relay, for example, are not in fact all that complex and also are ordered in relatively high volumes. In addition, all "change as is" orders are extremely simple. No matter how complex the services being switched, these orders should just involve a billing change. As explained above, failure to mechanize these orders locks business customers into BellSouth.

124. BellSouth claims that manual processing of complex orders provides parity, because BellSouth processes complex orders manually for its retail customers as well. But BellSouth's state-level OSS witness, Gloria Calhoun, acknowledges that she has not undertaken a service by service comparison to determine that this is true. (Calhoun, Fla. trans., p. 1248, att. 7, (stating that there may be services a BellSouth customer service representative can order electronically that a CLEC cannot). As currently structured, a BellSouth retail customer coordinates its order with its assigned BellSouth account team which then enters the orders into

BellSouth's RNS or DOE systems at which point the orders flow through automatically. (Calhoun, Fla. trans. 1232, 1250, att. 7; Calhoun Fla. ex. 43, p. 1, att. 34 (stating that BellSouth's DOE system handles orders for all products with USOC codes); Stacy I Aff., ¶ 68; Calhoun N.Car. trans., p. 37, att. 12). In contrast, a CLEC retail customer coordinates with the CLEC which in turn coordinates with its assigned BellSouth account team which then enters the orders. (Stacy I Aff., ¶ 68). There is therefore an extra level of manual involvement in the processing of CLEC orders. In addition, even if the amount of manual involvement were the same, the involvement of a BellSouth account team at almost all stages of a CLEC order is not equivalent to the involvement of a BellSouth account team at the initial stages of a BellSouth order! The BellSouth account team has every incentive to treat the CLEC orders worse than the BellSouth orders and to use the information to attempt to win back customers. Certainly, until there has been significant experience with BellSouth's business processes, there is no way to know that CLEC orders will be treated the same as BellSouth orders. Finally, providing an unnecessarily cumbersome process for "change" orders is not parity, because most customers are already BellSouth customers and the cumbersome nature of changing carriers locks them into that position. In order truly to provide parity to BellSouth's retail process of account team coordination with a customer and account team entry of the order, BellSouth's ordering process would enable a CLEC to coordinate an order with its customer and then to enter the order itself (at which point it would flow through automatically).

125. There are four types of "complex" orders for which BellSouth claims that it does have the ability to offer through EDI -- PBX trunks, SynchroNet services, multiline hunt groups,

and basic rate ISDN. (Stacy I Aff., ¶ 63).[14] I do not consider hunting to be a complex order, and, it is hard for me to believe that BellSouth handles hunting orders in anything but an automated fashion for its retail customers. In any case, even for these four types of "complex" orders, manual processing is required on BellSouth's side of the interface. (Calhoun test., Fla. trans., p. 1234, att. 7).

126. This Commission has required BOCs to demonstrate that they are providing nondiscriminatory access to all modes of competitive entry, including unbundled elements. (Ameritech MI Order, ¶¶ 133, 159). Although BellSouth claims that this will change in the future, (Stacy I Aff., ¶ 58), BellSouth acknowledges that as of the time of its filing, for those unbundled elements for which it has an automated interface, processing remains manual on its side of the interface. (Stacy I Aff., ¶ 59). Every loop ordered by a CLEC will be processed manually. Every order for interim number portability will be processed manually. This is hardly nondiscriminatory provision of OSS.

127. In addition to relying on manual processing for UNE orders for which EDI is available, orders for other unbundled elements cannot even be ordered via EDI. (Stacy I Aff., ¶ 59). The only UNEs that can be ordered through EDI are loops (2-wire analog voice grade only), ports (2-wire analog voice grade only), interim number portability, and loops plus interim number portability. (Stacy I Aff., ¶59, ex. WNS-30). BellSouth listed some of the "complex" UNEs that cannot be ordered via EDI at a press conference. (Att. 33, pp. 8-10).

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[14]Basic rate ISDN can be ordered via EDI only for customers served by DMS100 and 5 ESS Central Offices. (Stacy I Aff., ex. WNS-30, n.1). Primary rate ISDN and Megalink ISDN must always be ordered manually. (Stacy I Aff., ex. WNS-30).

128. BellSouth acknowledges that it has refused to adopt the modifications needed to enable its systems to handle combinations of UNES that it considers to replicate retail services (e.g. loop plus port) -- preventing CLECs from using one method of competitive entry. (Stacy I Aff., ¶ 59). BellSouth fails to offer OSS to handle combinations where the combining would be performed by BellSouth. BellSouth also fails to offer the OSS needed to enable CLECs to purchase and then recombine themselves basic combinations of network elements, such as loop plus port -- combinations that BellSouth is required to offer under the governing law as it exists today. Even under its own view of the combination that CLECs are allowed to perform themselves, BellSouth fails to provide OSS to order such combinations. This Commission rejected Ameritech's Michigan application in part because Ameritech had not deployed the necessary OSS to allow CLECs to order, and be properly billed for, combinations of network elements. (Ameritech MI Order, ¶ 160).

129. For infrastructure type elements, such as interconnection trunks, BellSouth does provide access to its EXACT system. But even for these orders there is human intervention on BellSouth's side of the Interface (Calhoun test., S.Car. trans., p. 264, 79, App. C, Vol. 3, Tabs 58, 59).

130. BellSouth therefore substantially relies on manual ordering processes for almost all types of orders. This is entirely unacceptable. This Commission recently rejected Ameritech's § 271 application in large part based on Ameritech's extensive reliance on manual processing which resulted in extensive modification of due dates, backlogged orders, late FOCs and rejection notices, and increased problems at higher volumes of orders . (Ameritech MI Order, ¶¶ 173, 183, 189, 193). Manual ordering processes cause delays when fax or phone lines are busy, and when

the BOC customer service representative who receives the fax or phone call (or EDI order which drops out of EDI) delays entering the information. (Ameritech MI Order, ¶ 178). Manual ordering processes also result in errors when the BOC customer service representative enters incorrect information. In MCI's experience with other ILECs, the use of manual interfaces for ordering has proven consistently disastrous. PacBell's manual intervention in the ordering process has resulted in vast delay in processing orders -- often amounting to months. It has also resulted in innumerable errors, such as loss of customer features during customer migration to MCI and failure to include new MCI customers in the 411 database. These delays and errors are so significant -- and so potentially harmful to MCI's reputation in the marketplace -- that MCI had to tell customers that it could not determine when new service would be turned up and that they could receive service faster from PacBell, and MCI, like other CLECs, has been compelled to reduce the scale of its planned market entry in California. In short, by using manual processes, PacBell has effectively preserved its monopoly market share by forcing CLECs to "voluntarily" scale back marketing efforts as a means of limiting the damage that PacBell's manual processes cause. BellSouth provides no reason to think that its manual ordering processes will be any better than those of PacBell.

b) BellSouth's Provisioning Processes Are Largely Manual

131. In addition to the manual nature of much of its ordering process, BellSouth also has a provisioning process that is largely manual. BellSouth entirely lacks an automated process

for almost all reject notifications and for one of two major types of jeopardy notifications. It also processes some firm order confirmations and completion notifications manually.

132. Although MCI provided it with specifications to allow it to send reject notices via EDI, BellSouth intends, with some relatively minor exceptions,[15] to relay reject notices back to CLECs using a fax (e-mail from Judy Rueblinger, Aug. 29, 1997, att. 22; e-mail from Judy Rueblinger, Aug. 18, 1997, att. 20; letter from Cliff Bowers, Aug. 29, 1997, att. 21; Stacy Aff., ¶ 75, 77). Rejects for an invalid address, an invalid PIC code, or a miskeyed telephone number, for example, would all be processed and returned manually. (Calhoun, N.Car. trans., p. 43, att. 12) In contrast, after a BellSouth retail order is rejected, a message is automatically sent to the BellSouth order correction group (Calhoun test., Fla. trans., pp. 1318-19, att. 7; N.Car. trans., pp. 44-45, att. 12); indeed the BellSouth retail systems incorporate edits on the front end which preclude some types of incorrect orders from even being entered into the system.

133. The manual processing of rejects for CLECs is likely to result in substantial delays in sending rejects back to CLECs especially as the volumes of orders increase and it becomes more difficult for BellSouth representatives to track and process rejects. The representatives who process the rejects also are likely to use idiosyncratic and cryptic error messages which are hard to decipher and force MCI to call BellSouth for clarification, or even to

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[15]BellSouth will send rejects back via EDI if the reason the order is rejected is the corruption of the data sent, failure to fill in a mandatory field, or other similar clarifications (Calhoun, N.Car. trans., att. 12). Based on MCI's experience elsewhere, this is likely to be a very small percentage of the orders that are rejected. BellSouth also claims that it will itself manually correct obvious errors and re-enter them into its ordering systems, rather than sending them back to the CLECs. (Stacy I Aff., ¶76). While this promise has potential to be helpful, there is no reason to believe that BellSouth will be able to correct a large number of orders containing errors nor is there any indication of how long BellSouth will take in an attempt to make such corrections.

find errors where no errors exist. MCI has experienced all of these problems with manual processing of reject messages on orders that MCI has placed through LENS and with the manual rejects that have been sent back during MCI's EDI testing to date.[16] Faxing these rejects back will result in further delays -- the fax machine may not be working, may be out of paper, and, regardless, will take time to transmit the fax. Faxing will also delay processing on MCI's side of the interface as MCI must track the faxes and ensure they reach the proper individuals. Indeed, MCI suggested that BellSouth should at least fax or e-mail on a regular basis lists of the rejects that had been sent, so that MCI could be certain it had received and logged in all of the individual faxes sent by BellSouth. BellSouth has refused even this limited request. All of these problems will substantially delay the time by which a clean order is finally submitted and therefore will delay the processing of CLEC orders, and, as this Commission noted happened with Ameritech, these problems will likely be exacerbated as volumes of orders increase. (Ameritech MI Order, ¶ 189). BellSouth has submitted no data showing that even with the limited volume of orders being processed currently, reject notices are being returned in a timely fashion.[17]

134. This Commission found Ameritech's Michigan filing deficient in part because of the length of time it took Ameritech to send back reject notifications. (Ameritech MI Order, ¶¶ 186, 188). The Commission correctly attributed this to the fact that rejects for many Ameritech orders were processed manually before being sent to CLECs via EDI. (Ameritech MI Order, ¶¶

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[16]For orders placed through LENS, unlike orders through EDI, BellSouth provides the reject information automatically after they have been processed manually. The CLEC must, however, specifically request the status of the order to obtain the reject information.

[17]BellSouth's data on due dates met and average installation intervals, which I will discuss below, appears to be for clean orders only and therefore does not take into account the length of time it takes BellSouth to process rejected orders.

186, 188). For BellSouth, almost all rejects are processed manually and the rejects are sent back via fax! As a result, the delays and errors that existed in Ameritech will likely be worse with respect to BellSouth -- these problems are largely inherent in use of manual interfaces to process high volumes of orders by employees who have no incentive to get things right, and who, even if they made every effort, would nonetheless inevitably make some mistakes and create delay. Although BellSouth has promised to automate rejects sometime in the future, it has been unable to share any specifications with MCI of its intended new process. (E-mail from Judy Rueblinger, Aug. 29, 1997, att. 35).

135. The problem of manual reject notification is especially important, because the number of rejects early in the process of competition is likely to be quite high. Indeed, BellSouth acknowledges that 65% of automated orders were rejected in July and 66% were rejected in August. (Stacy I Aff., ex. WNS-41). BellSouth attributes 87% of the August errors to CLEC errors. But given that almost the same total percentage of errors existed in July and August and BellSouth acknowledges that 50% of the July errors were its fault, it is hard to believe that 87% of the August errors were the CLECs' fault. Moreover, if the errors were largely attributable to CLECs, some CLECs would presumably have had significantly fewer rejects -- yet 10 of 12 CLECs in August had rejects on at least 60% of their orders. (Stacy I Aff., ex. WNS-41). At a minimum, this suggests that BellSouth's training and documentation is not particularly good. Even if BellSouth were correct, however, that most errors are CLECs' "fault," the fact remains that there are significant numbers of errors and that this is almost inevitable at the early stages of competition when CLECs are learning the process and BellSouth is putting in place edits in its

systems. BellSouth's reliance on manual processes for reject notification will therefore cause major problems especially as the volume of orders increases.

136. BellSouth relies on the absence of industry standards as an excuse for its manual provision of reject information. This is strange, since in other instances, such as with respect to its maintenance and repair interface, BellSouth has not even adopted industry standards that already exist. In any case, the absence of existing industry standards can hardly be an excuse for discriminatory provision of reject information -- especially since MCI provided BellSouth with specifications showing it how to provide this information in an automated fashion via EDI. (Letter from Helen Arthur, Aug. 27, 1997, att. 36; e-mail from Judy Rueblinger, Aug. 29, 1997, att. 35).

137. BellSouth also relies on an entirely manual process for one of two major categories of jeopardy notifications. BellSouth divides jeopardy notifications into "missed appointment" jeopardies and "service" or "facilities" jeopardies. Missed appointment jeopardies involve situations in which, for example, the customer is not home when the technician comes out to install service. Service jeopardies involve situations in which, for example, fulfilling the order will take longer than anticipated because BellSouth finds out that it lacks outside plant and must install such plant before completing the order.

138. BellSouth has agreed to provide missed assignment jeopardies via EDI. However, this process is entirely untested. BellSouth only agreed to provide such jeopardies via EDI at the end of August. No one has yet had time to test the process.

139. BellSouth entirely lacks an automated process for informing CLECs of service jeopardies even though MCI shared with BellSouth specifications to perform this process. (Letter

from Helen Arthur, Aug. 27, 1997, att. 36). BellSouth plans to provide notification by phone call. (E-mail from Judy Rueblinger, Aug. 29, 1997, att. 35; E-mail from Judy Rueblinger, Sept. 9, 1997, att. 37). The manual process for informing CLECs of service-based jeopardies will negatively impact CLECs, who may not receive notice of the changed due date in sufficient time to notify their customers. Indeed, for the (manual) orders MCI has placed to date, BellSouth has generally not provided jeopardy notifications at all. When the customers call MCI to find out why their service has not been turned up MCI will not know the reason. Not only will this anger the customer, but MCI will have to waste time and money attempting to track down the status of the order.

140. The manual process is also discriminatory. BellSouth fails to present any data on how long it takes to return jeopardies to CLECs. BellSouth also fails to provide data on how long it takes to return jeopardies to customer service representatives who call its retail customers. But the process is inevitably discriminatory. In its retail operation, BellSouth sends notice of jeopardies in an automated fashion to BellSouth customer service representatives who call customers to inform them of new due dates (Calhoun, N.Car. trans., pp. 48-49, att. 12); in contrast, in its resale/UNE operation, BellSouth sends notice of jeopardies to BellSouth representatives who call the CLECs who must in turn call their customers. There is therefore an extra phone call involved in the process.

141. BellSouth does claim to provide Firm Order Confirmations and Completion Notifications via EDI, but even FOCs and completions are returned manually for orders that are sent manually to BellSouth. Additionally, I assume that for orders that fall out for manual processing, that manual processing occurs prior to return of the FOC thus delaying return of the

FOC. (Ameritech MI Order, ¶¶ 186, 188). Also, as with other aspects of EDI, BellSouth has presented no evidence that its process of returning FOCs and completions via EDI is operational. This Commission required BOCs, in applications filed after the Ameritech Michigan application, to submit data showing how long it takes to return a FOC and how long it takes to supply the equivalent of a FOC to its retail operation. (Ameritech MI Order, ¶ 187). Although BellSouth acknowledges that the equivalent of FOCs are sent to BellSouth's retail units (Stacy, Fla. test., p. 1571, att. 7), BellSouth has not supplied any such data. Because MCI has to date only placed orders via LENS and through manual processes, and, as I discuss below, LENS does not return FOCs and completions in a traditional manner, MCI only has such data for its manual orders (which were for loop/port combinations). For these orders, return of FOCs averaged 4.5 days for orders for change as is or change as specified, and averaged 3.9 days for new installs. Completion notices were never provided at all.

3) MCI's Ordering Experience Shows BellSouth Is Not Ready

142. Although BellSouth and MCI have only recently managed to create an EDI interface which MCI can begin to test, MCI has submitted orders through BellSouth's manual proceesses and through LENS. While MCI intends to use EDI when it launches commerically, by submitting these test orders using other interfaces, submission of test orders through manual processes and through LENS has enabled MCI to begin familiarizing itself with BellSouth's business rules and ordering codes and to begin working through difficulties with BellSouth that would otherwise likely first appear when MCI begins using EDI. It is often an ILEC's business rules and back end systems, rather than the interface itself, that are responsible for the difficulties

in implementation. For example, the delays MCI has experienced in the processing of POTS resale orders through LENS almost certainly do not result from the amount of time that it takes those orders to traverse the LENS interface; rather they likely result from problems in BellSouth's back end systems which would also exist with EDI. As can be seen in Stacy exhibit WNS-26, BellSouth's back end systems are identical for EDI and LENS orders.

143. As I will explain below, MCI's data shows that BellSouth's ordering processes are not operationally ready. I will compare this data with the data BellSouth presents on its commercial experience in processing orders. As I have discussed previously, none of BellSouth's data is specific to EDI and it therefore cannot demonstrate the readiness of BellSouth's EDI interface -- though, as with MCI's data, it is potentially relevant to an evaluation of the operational readiness of BellSouth's back end systems. Unfortunately, however, BellSouth's data is presented in such a manner that it has very little use. The problems with BellSouth's data probably explain to a significant extent why the results presented are so divergent from the results shown by MCI's data.

144. In presenting its data on due dates met, average installation intervals, percentage of repeat trouble reports and more, BellSouth never explains what orders it is including in its data. For most of its charts, BellSouth does not state how many orders are included in each category. Where it does provide numbers, these numbers call into question exactly what orders BellSouth is counting in each of its categories. For example, for its data on installation intervals, BellSouth reports results for millions of orders in each month (over 3 million orders for August alone) (Stacy 2 Aff., WNS ex. 10, p. 17)). It is not clear what is being included here, since BellSouth would not seem to have enough customers to generate even this many retail orders. BellSouth

also divides the data on installation intervals into BST and LCSC orders (Stacy 2 Aff. ex. WNS-10); one would expect this division to parallel that between BellSouth's retail orders and CLEC orders since the data is supposed to be supporting data for WNS 10-b which compares retail and CLEC performance. But the only CLEC orders that go to the LCSC are those involving manual processing, so it is unclear where data on fully automated CLEC orders are being captured. Moreover, the data on the chart show that over 20,000 orders were processed in the LCSC in July alone (Stacy 2 Aff., ex. WNS-10); yet BellSouth has stated that it only processed a total of 1,421 local service requests in July (Stacy I Aff., ex. WNS-41). Thus, the data one would expect to be CLEC data appears to encompass something other than CLEC orders.[18] Inclusion of many orders other than those that would seem to properly fall within a particular category could well be distorting BellSouth's data. BellSouth's specific measurements are also affected by other significant problems which I will describe in discussing the particular measures.

a) BellSouth Takes Longer to Fulfill CLEC Orders Than Its Own Retail Orders

145. BellSouth presents two sets of measurements to show that the time it is taking to process orders is equivalent for CLECs and for its retail customers. The first is percentage of due dates met, and the second is average installation intervals. Neither measurement in fact shows parity.

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[18] Similarly, at the state level, BellSouth indicated that it had already processed 50,000 resale orders (Stacy, S.Car. test., p. 70, App. C, Vol. 4, Tab 60) -- but this data must include something other than ordinary resale given that as of July BellSouth was only processing 1,421 total local orders in a month.

1) BellSouth Meets More Due Dates of Retail Customers Than of CLECs

146. Due dates met is, of course, the measurement this Commission found to be an inadequate measure of parity in its order with respect to Ameritech Michigan. (Ameritech MI Order, ¶ 168). In part, this was because Ameritech's reporting was based on due dates that it had modified rather than on the due dates requested by the CLECs. BellSouth fails to say whether the due dates against which it is measuring are those requested by the CLECs or the often modified due dates BellSouth returns to the CLECs. Either way BellSouth's own data fails to show parity, and MCI's data shows the disparity is far greater than shown by BellSouth's data.

147. While BellSouth claims to meet due dates for its resale customers well over 90 % of the time (e.g. 99.97% for residential orders non-dispatch), (Stacy 2 Aff., ex. WNS-9), MCI's data shows that, as of the date of BellSouth's filing with this Commission, BellSouth had completed MCI's resale orders by the due date only 24% of the time -- 36% of the time for orders for change as is; 14% of the time for change as specified, and 8% of the time for new installations. (Att. 38, pp. 1-3, 7). For those orders on which BellSouth missed the desired due date, it missed by an average of 4.01 days. (Att. 38, p. 1). Because BellSouth strangely turned up service prior to the due date on 6% of orders, when averaged out over all orders, including ones for which BellSouth turned up service prior to the due date, BellSouth turned up service on average 3.17 days after the due date. (Att. 38, p. 1, 6). The distribution of BellSouth performance in relationship to the due dates requested is shown in Att. 38, pp. 8-11.

148. MCI's change as is and change as specified orders are residential orders that do not require a dispatch; they therefore should be compared to BellSouth's category of "residential

non-dispatch" in which it claims to meet due dates for its retail customers 99.97% of the time. MCI's new installation orders are residential orders that sometimes require a dispatch and sometimes do not (most of the time time new installs do not require a dispatch, since facilities are usually available).[19] However, even assuming that all of MCI's orders required a dispatch so that they should be compared to BellSouth's retail residential orders (dispatch required), BellSouth met its due dates for such orders 89.9% of the time in August.[20] There is therefore a vast differential between BellSouth's success in meeting due dates for its retail customers and its success in meeting due dates for MCI.

149. BellSouth's inability to meet due dates is emphasized by the fact that BellSouth cannot even meet the dates to which it commits on a Firm Order Confirmation.[21] Even though when BellSouth sent Firm Order Confirmations back to MCI it often changed the due date requested by MCI and commited to a different due date, BellSouth frequently failed to meet even the dates that it returned on the FOCs.[22] It failed to turn up service by the date promised on the

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[19] MCI has not broken orders down by dispatch or non-dispatch, because MCI has no way of knowing whether a dispatch is required for orders for new installations. Instead, MCI's data is broken down into categories for change as is, change as specified, and new orders -- based on the different installation intervals BellSouth has offered to CLECs. For non-dispatch orders, including all change orders, the reality is that BellSouth should be able to complete the order within 1 day (though BellSouth's offered service intervals are more than a day for change-as-specified and new installations (including those in which no dispatch is required)).

[20]BellSouth only provides this data for June, July, and August in which the figures were 89.2%, 95.4%, and 89.9% respectively.

[21]For orders placed through LENS BellSouth does not actually return a FOC. However, it places status information in LENS which shows the same information as exists on a FOC and which CLECs can access. The same is true with respect to completion notifications.

[22] BellSouth met the date promised on the FOC much more often than it met the due date requested showing that it frequently modified the requested due date on the FOC -- something

FOC 31% of the time and on those orders was on average 3.75 days late.[23] (Att. 38, p. 1). BellSouth missed the FOC date 37% of the time for change-as-is orders, 20% for change-as-specified, and 28% of the time for new orders. (Att 38, p. 2-4). The distribution of order completions in relation to the FOC date is shown on att. 38, p. 14-17).

150. MCI's data is an accurate gauge of BellSouth's ability to meet its due dates. The orders placed by MCI were all orders for residential, resold Plain Old Telephone Service placed through LENS. Only "clean" orders were included; if BellSouth rejected an order that order was not included in the analysis. The due dates requested were based on the installation intervals BellSouth provided to CLECs (e.g. BellSouth's repeated promise that orders for change as is would be completed the same day if ordered before 3:00, the next day if ordered after 3:00 (Calhoun, S.Car. trans., p. 6, App. C, Vol. 3, Tab 59) for the vast majority of all orders.[24] It is therefore indisputable that the missed due dates were the fault of BellSouth.

151. Indeed, MCI's analysis is skewed to favor BellSouth. LENS showed that five percent of MCI's orders were in an incomplete status as of September 30. (Att. 38, p. 1). These orders had been pending for an average of 18.93 days. (Att. 38, p.35). When MCI communicated with BellSouth to check the status of these orders, BellSouth informed MCI that 18 of the 29 pending orders had in fact been completed though the status had not been updated in

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with which this Commission has expressed "great concern." (Ameritech MI Order ¶ 185).

[23] Because BellSouth also missed the FOC date by turning up service early on 17% of orders, BellSouth's overall average was only .58 days beyond the FOC date.

[24]There may have been some instances in which MCI mistakenly requested a due date earlier than the installation intervals provided by BellSouth. For change as is, MCI has calculated the number of such requests at 5% of its orders.

LENS. (Att. 38, p.36). For these 18 orders, the average completion time was 7.35 days (Att. 38, p.37); for the remaining 11 orders which had not yet been completed, the average amount of time the orders had been pending was 15.27 days. (Att. 38, p.38). If included in MCI's overall analysis, therefore, these orders would cause BellSouth's performance to look even worse. Moreover, the completed status of orders that showed as pending in LENS reveals another problem -- on 67% of MCI's orders, MCI has had to manually check with BellSouth to determine whether the order had been completed even though this information is supposed to show up correctly in LENS for orders placed through LENS. (Att. 38, p.43).

152. By excluding from its analysis orders that were rejected, MCI has also skewed its data in favor of BellSouth. When an error is rejected by BellSouth as a result of a mistake that BellSouth made, this delays completion and it is BellSouth's fault. Nonetheless, MCI excluded such orders.

153. BellSouth also cannot assert that its performance has improved over time. MCI's data shows little change over the months for due dates met for any of the order types that it has submitted. (Att. 38, pp.18-21).

154. In addition to its resale orders, MCI has placed 412 orders for UNE loop/port combinations in the BellSouth region. MCI has placed these orders manually, because such ordering is not automated through LENS or EDI (LENS can handle such orders if placed in the remarks section, but this is essentially the equivalent of a manual process). MCI generally requested due dates of 6 days on these orders. Because of BellSouth's legal position on loop/port combinations, BellSouth treats the orders as resale orders. The data therefore should be comparable to BellSouth's resale data. However, MCI does not actually know when most of

these orders have been completed -- BellSouth has not sent any completion notifications back on these orders. When MCI has called BellSouth to ask the status of these orders, BellSouth has said that it could only provide the status of three orders at a time. In fifteen calls, MCI was only able to obtain status on 25 orders and then was told that BellSouth did not have time to look up any more information.

155. Based on the information that MCI does have, MCI knows that the average due dates BellSouth promised on the FOC were 7.8 days for migration orders, 6.8 days for new installs. (Att. 39). On 19 of the 412 orders, BellSouth failed to return a FOC (or, indeed, any notice) altogether. (Att. 39). Fifteen of these 19 orders have been pending for more than 6 days, 12 have been pending for more than 16 days. Thus, even though MCI requested fairly long due dates (generally 6 days), even the dates Bellsouth promised on those FOCs it returned were longer on average than the requested dates and BellSouth failed to return any information on other orders. As for the actual completion dates, as explained, MCI only has this information for 25 orders. Of these 25 orders, BellSouth only completed the order by the date promised on the FOC for 17 orders. Five orders had still not been completed at the time of the call -- even though they had been issued weeks prior to the call.

156. MCI has placed 19 orders for employee trial customers manually in South Carolina. These orders include 13 orders for UNE loop/port combinations and 6 orders for resale. MCI has had to call BellSouth to determine whether these orders were completed and found that 15 of the 19 had been completed. BellSouth could not find information on two orders and was unable to verify completion of the other two orders. Even for the 15 orders that BellSouth stated had been completed, BellSouth was only willing to provide the date of completion on four of the

orders. As for the limited information that MCI does have, it shows a process that still contains problems. On average, it took BellSouth 4.9 days simply to return a FOC with 12 of the orders taking more than 2 days and some taking as long as 13 or 14 days. On the FOC, BellSouth only promised MCI the due date that MCI had requested on 2 out of 19 orders; of the other 17 orders, strangely, BellSouth promised an earlier due data than MCI had requested on 15 of the orders. Early dates can themselves be a problem, because the customer sometimes requests that service is not turned up until a certain date and does not want to be billed earlier than that.

157. As a result, unless BellSouth is treating MCI very differently from other CLECs so that MCI's data is not at all typical for CLECs generally, BellSouth's success in meeting due dates is far from non-discriminatory. Of course, BellSouth's own data, setting aside the measurement issues discussed above, tells a somewhat different story. It shows a far narrower gap with respect to BellSouth's performance towards CLECs and its performance towards its retail customers. But it still shows a gap. As for an explanation of the differences in the results reported by BellSouth and MCI, I can provide none other than perhaps the measurement issues described above. There appears to be a need to require audits of data in order to ensure that the data reported is accurate.

158. In any case, even BellSouth's data does show that it is meeting due dates more frequently for its retail customers than for CLECs. Although BellSouth does not provide the number of orders contained in each of the categories for which it presents data, it is highly likely that the bulk of the orders BellSouth has received to date are residential resale orders that do not require dispatch of a technician. BellSouth asserts that for residential resale (no dispatch required), it met the due date for CLECs 99.65 % of the time region-wide from February through

August, less than the 99.97% it met the due date for itself. (Affidavit of William N. Stacy dealing with Performance Measures (Stacy 2 Aff.), ex. WNS-9). These figures have not changed much over time as evidenced by the trend line in exhibit WNS-9. BellSouth acknowledges that this difference is significant. (Stacy 2 Aff., ¶ 51). Indeed, the difference appears to be outside of BellSouth's vaunted "control limits" (Stacy 2 Aff., ex. WNS-9) -- although BellSouth mistakenly includes this measure (provisioning appointments met -- residential non dispatch) in the list of measures for which better performance is ostensibly provided to CLECs. (Stacy 2 Aff., ¶ 46).

159. BellSouth excuses this difference by stating that "the results are impacted by the number of CLEC caused errors." (Stacy 2 Aff., ¶ 51). But this could only be so if BellSouth included in the analysis orders that were rejected by BellSouth -- a fact which BellSouth nowhere makes clear; indeed, with respect to its measure of average installation intervals, BellSouth states that the opposite is true, that only "clean" orders are included in the analysis. (Stacy 2 Aff., WNS ex. 10-A). In any case, if BellSouth did include rejected orders in the analysis, this was BellSouth's own choice -- it could have presented data for clean orders. BellSouth also makes no attempt to show that any rejected orders were the CLECs' fault.

160. The other three categories of service for which BellSouth provides data probably altogether encompass fewer orders than residential resale (dispatch not required). In any case, only in the category in which the very least amount of orders have likely been submitted (business orders, dispatch required) does Bell South claim to have met its due dates more frequently with respect to CLECs than with respect to its retail customers. For residential resale (dispatch